

REMARKS

IN THE CLAIMS

Claims 1-10 and 12-19 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim subject matter which Applicants regard as the invention. In particular, Applicants use the terms “device file” and “special device file” interchangeably without making a distinction between the two phrases throughout the claims.

Applicants have amended claims 1, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17 and 19 to remedy confusion between the phrases device file and special device file.

Claims 1-11 are rejected under 35 USC 102(b) as being anticipated by Kenton et al. (Kenton), US Patent 5,479,612. Applicants respectfully traverse the examiner's assertions. Applicants submit that both Applicants' present invention and Kenton are similar in that both relate to device access and both discuss searching a database to find entries related to a device. However, that is where the similarities stop. The objectives and methods are different. Kenton deals with a computer device driver that allows the computer as a whole to support access to the device as a whole.

The Kenton patent uses the internal operating system to implement its method. In column 1, lines 17-30, Kenton discusses the two approaches that can be used by a computer system to provide software connectivity and support for a peripheral device: (1) an external peripheral software driver and (2) an internal peripheral software driver that is contained within the operating system. Kenton goes on to contrast these approaches and discuss how the second approach is insufficient. Kenton's main objective is to present an automated system and method of encouraging computer system customers to purchase licenses before employing certain types of peripheral devices for use with their computer system. Further, Kenton employs an internal approach, which uses the operating system of the computer system as opposed to the external approach of Applicants' invention which uses an external monitor.

Applicants' present invention pertains to methods for advanced fine-grained discretionary access controls on file system objects that represent access paths to devices. These devices may be physical devices or software abstractions of the devices. In short,

Applicants' invention is fundamentally about access controls on file system objects that represent devices, not access means between the computer and a physical.

With regard to the specific rejection of the examiner, contrary to the examiner's statement that all elements of Applicants' present invention are disclosed in the cited reference, the element (step) of claim 1 of "searching a mapping database for special device files that represent the system device that is the object of the access attempt and generating a device file entry list of all protected device files that represent said system device" is not disclosed in the cited reference. Therefore the rejection is unsupported by the cited art and should be withdrawn.

Kenton does not discuss, mention or even suggest, the generating of a list of special device files based on the searching techniques described by Applicants. None of the locations of Kenton cited by the examiner discuss or mention this generated list. Column 5, lines 27-28 discusses keeping records of license violations. However, this technique is not similar in concept or implementation to the techniques of Applicants' present invention. First, the Kenton technique results in a list of license violators or mismatches and not matches. Second, with Kenton, there is no generation of new sets of records for each access attempt. It appears the recorded information in Kenton is cumulative and not regenerated. Third, Kenton recorded information is for the entire system, and not just one specific resource. A generated list of Applicants' present invention is for one special device file that is making an access attempt. Applicants' present invention generates a new list of special device files for each access attempt. Again, this fact underscores the before mentioned characteristic of Kenton which is that the Kenton method deals with a computer device driver that allows the computer as a whole to support access to the device as a whole.

In view of the above, Applicants respectfully submit US Patent 5,479,612 (Kenton) does not anticipate Applicants' described invention. Applicants further submit that all of the pending claims are in condition for allowance. Applicants believe that no additional search should be required in view of the type of amendments Applicants made to the claims. Therefore, withdrawal of the rejections and passage to issuance is respectfully requested.

Applicants believe this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the below listed telephone number. The extended period for response based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on May 16, 2005. The date of May 14, 2005 falls on a Saturday, therefore, the date of May 16, 2005 is considered timely filed within the requested one month extension. Applicants have enclosed the petition and fee with this response. Applicants believe no additional fees are due. However, if any fee is due, please charge any fees due or any credits due to Deposit Account 09-4447 (Reference docket number AUS920010161US1).

Respectfully Submitted,



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